

**IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF MISSOURI  
SOUTHWESTERN DIVISION**

**UNITED STATES OF AMERICA,**

**Plaintiff,**

**vs.**

**THOMAS FRANKLIN HOUCK,**

**Defendant.**

)  
)  
)  
)  
)  
)  
)  
)  
)  
)  
)

**Case No. 16-05010-01-CR-SW-MDH**

**ORDER**

Before the Court is the Defendant's Motion to Suppress Evidence and Statements on the Basis of an Unlawful Search and Seizure under the Fourth Amendment to the United States Constitution. (Doc. 20), the Government's Suggestions in Opposition to the Defendant's Motion to Suppress Evidence (Doc. 24), the Report and Recommendation of United States Magistrate Judge (Doc. 32), and the Government's Objections to the Magistrate's Report and Recommendation (Doc. 37). The Court has also reviewed the electronic transcript from the February 28, 2017 hearing before the United States Magistrate Judge on the motion to suppress. (Doc. 31).

After a careful and independent review of the parties' submissions, the Report and Recommendation, and the Government's objections to the same, this Court agrees with and **ADOPTS** the Report and Recommendation of the United States Magistrate Judge (Doc. 32) in full. Accordingly, the Court **GRANTS in part** and **DENIES in part** Defendant's Motion to Suppress. (Doc. 20). The Court **GRANTS** the motion with regard to evidence obtained as a result of the search of Defendant's RV on July 2, 2015, the seizure and search of Defendant's computer, Defendant's statements made during the interview at the police station on July 2,

2015, any evidence obtained as a result of a search incident to the search warrant on July 20, 2015, and any evidence or statements derived as a result of subsequent searches and seizures. Any such evidence or statements are **SUPPRESSED**. Defendant's motion to suppress statements he made on July 2, 2015 while still located on the property at 720 Holly Tree Road and prior to being interviewed at the police station is **DENIED**.

**IT IS SO ORDERED.**

DATED: August 15, 2017

/s/ Douglas Harpool  
**DOUGLAS HARPOOL**  
**UNITED STATES DISTRICT JUDGE**